

GUNDERSON, PALMER, NELSON & ASHMORE, LLP

ATTORNEYS AT LAW

J. CRISMAN PALMER
JAMES S. NELSON
DANIEL E. ASHMORE
DONALD P. KNUDSEN
PATRICK G. GOETZINGER
TALBOT J. WIECZOREK
DAVID E. LUST
TERRI LEE WILLIAMS
SARA FRANKENSTEIN
JASON M. SMILEY
QUENTIN L. RIGGINS

506 SIXTH STREET
POST OFFICE BOX 8045
RAPID CITY, SOUTH DAKOTA 57709-8045

TELEPHONE (605) 342-1078
www.gundersonpalmer.com
ATTORNEYS LICENSED TO PRACTICE IN
SOUTH DAKOTA, NORTH DAKOTA,
NEBRASKA, WYOMING, MONTANA,
MINNESOTA, KENTUCKY, AND PENNSYLVANIA

RONALD G. SCHMIDT
JEFFREY R. CONNOLLY
REBECCA L. MANN
ANDREW J. KNUTSON
KYLE L. WIESE
JANA SMOOTH WHITE
TYLER C. WETERING
NATHAN R. CHICOINE
MATTHEW C. HASVOLD
KATELYN A. COOK
WYNN A. GUNDERSON
Of Counsel

Writer's E-mail Address: dlust@gpnalaw.com
Writer's Fax No.: (605) 342-9503

December 21, 2015

RECEIVED
DEC 23 2015
S.D. SEC. OF STAT.

Rachel Schmidt
Election Coordinator
Office of Secretary of State
500 East Capitol Ave., Ste. 204
Pierre, SD 57501

Re: David E. Lust - District 34 campaign finance disclosure statement
GPNA File No. 08283.0002

Dear Rachel:

Enclosed please find my signed Affidavit as approved by your office and the referenced Campaign Finance Disclosure Statement. Please let me know if you need anything further from me to resolve this issue.

Thank you for your assistance. Happy holidays.

Sincerely,

David E. Lust

DEL:bjs
Enclosures

RECEIVED

DEC 23 2015

S.D. SEC. OF STATE

STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

)
)SS AFFIDAVIT OF DAVID E. LUST
)

Comes now David E. Lust, after being first duly sworn upon his oath, and states and declares as follows:

1. That in 2007 I was a candidate for the South Dakota House of Representatives in District 34 and filed a Statement of Organization listing my campaign committee as "Lust for Legislature". Arlene Ham-Burr was my campaign treasurer.

2. That in 2010, I was again a candidate for the South Dakota House of Representatives in District 34.

3. That during that campaign, a new Statement of Organization was filed due to having appointed a new treasurer, Steven Conzet, for my campaign committee. The Statement of Organization erroneously reflected the name of my campaign committee as "Lust for House." All subsequent statements filed with the Secretary of State referred to my campaign committee as either "Lust for House" or "David Lust for House".

4. That following the conclusion of my service in the South Dakota House of Representatives, in 2013, I filed a Campaign Finance Disclosure termination statement in September 2014 with the South Dakota Secretary of State. This termination statement referenced the committee name as "David Lust for House." This termination statement showed a \$0 balance.

5. That It was my intention and belief that both Statements of Organization reflect only one campaign committee, "Lust for Legislature" and that the 2010 Statement of Organization was submitted to reflect only a change in treasurer, not a change in name or the formation of a new campaign committee. It was never my intention that a separate filing be created, resulting in having two separate committees of record.

6. That the change in name of the campaign committee reflected in the 2010 filing was an error which was then carried forward onto the Campaign Finance Disclosure Statement.

7. That there has only been one campaign account used since the inception of my run for the Legislature and all funds have flowed through that account.

8. That I was under the belief the termination statement filed in September 2014 terminated the only campaign committee that existed.

9. That to clear up any confusion or discrepancy I am filing a Campaign Finance Disclosure Statement for the "Lust for Legislature" campaign committee that reflects a "transfer" of funds from that campaign committee to the "Lust for House" campaign committee.

10. That I am reflecting the “transfer” of funds merely to close the loop on any confusion or misunderstanding by anyone reviewing the “Lust for Legislature” filings so that a cross-reference to the “Lust for House” campaign committee is evident.

11. That the termination statement filed in September 2014 and the filings prior to that statement under "Lust for House" accurately sets forth and portrays the income and expenditures for my legislative campaigns.

Dated this 21st day of December, 2015.

David E. Lust

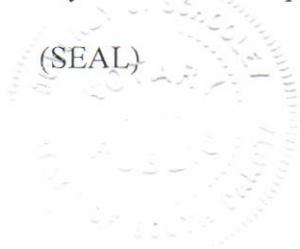
STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON)
SS)

On this 21st day of December, 2015, before me, the undersigned officer, personally appeared David E. Lust, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Beverly J Schooley
Notary Public / South Dakota

My commission expires:



Beverly J. Schooley
Notary Public
My Commission Expires
July 19, 2018